



ATTORNEY DOCKET No.: 21101.0048U2

PATENT

112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Leppert *et al.*

Application No.: 10/585,717

Filing Date: March 14, 2007

For: MUTANT SODIUM CHANNEL NAV1.7
AND METHODS RELATED THERETO

)
)
) Art Unit: 1646

)
) Examiner: Michael D. Pak

)
) Confirmation No.: 4074

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS & INGERSOLL, LLP
Customer Number 23859

June 17, 2009

Dear Sir:

Pursuant to the requirements of 37 C.F.R. § 1.56, Applicants submit a list of documents known to Applicants or Applicants' attorneys. Pursuant to 37 C.F.R. § 1.98(a)(2)(iv), and for the Examiner's review, Applicants have enclosed copies of the following cited documents from the prosecution of a foreign application.

Regarding the documents from the prosecution of a foreign patent application, Applicants note that 37 C.F.R. § 1.98(b) does not mention, and thus does not require, that Applicants provide any particular set of identifying information. While 37 C.F.R. § 1.98(a)(1) requires Applicants to provide a list of such documents, it does not require Applicants to include in that list specific identifying information. 37 C.F.R. § 1.98(a)(2)(iv) further requires Applicants to provide a copy of such documents (see APPENDIX A). Thus, the rules do not require that Applicants provide any particular set of information about these documents prior to the

Examiner's consideration of all the cited information. Nevertheless, in order to be as helpful as possible, Applicants have provided in APPENDIX A the following information: (a) the application number, (b) the country code, (c) the filing date, (d) the applicant, (e) the title or description of the document, and (f) the date on which the document issued. The information provided mirrors the requirements for cited foreign patent applications and U.S. patent applications as set forth by 37 C.F.R. § 1.98(b). For at least these reasons, Applicants respectfully request consideration of all documents submitted in the present Supplemental Information Disclosure Statement.

Applicants now bring to the Examiner's attention the following non-U.S. patent applications.

LIST OF FOREIGN APPLICATIONS					
Initials	Country	Application #	Filing Date	Applicant	Atty. Docket #
	AU	2005207002	01/21/05	University of Utah Research Foundation	21101.0048AU1
	CA	2553745	01/21/05	University of Utah Research Foundation	21101.0048CA1
	EP	05711840.8	01/21/05	University of Utah Research Foundation	21101.0048EP1
	JP	2006-551331	01/21/05	University of Utah Research Foundation	21101.0048JP1
	PCT	PCT/US05/02059	01/21/05	University of Utah Research Foundation	21101.0048P1

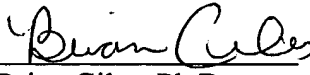
For the Examiner's consideration, Applicants now submit copies of Office Actions, Amendments, Responses, and other correspondence from the prosecution of a co-pending foreign patent application. Pursuant to 37 C.F.R. § 1.98(a)(2)(iv), Applicants have enclosed a copy of each document. **APPENDIX A to the Supplemental Information Disclosure**

Statement lists these documents, provides identifying information, and includes a column for the Examiner's initials.

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicants believe that this Supplemental Information Disclosure Statement is timely in that the Office has not yet mailed to Applicants a first Office Action on the merits. Therefore, Applicants request that the Examiner consider the cited documents and make the same of record in the prosecution of this application (U.S. Serial No. 10/585,717).

Applicants believe that no fee is due; however, Applicants hereby authorize the Commissioner to charge to Deposit Account No. 14-0629 any fees that may be required.


Respectfully submitted,


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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.


P. Brian Giles, Ph.D.

6-17-2009
Date



ATTORNEY DOCKET No.: 21101.0048U2
APPLICATION No.: 10/585,717

APPENDIX A

to the Supplemental Information Disclosure Statement

LIST OF PROSECUTION DOCUMENTS FROM FOREIGN PATENT APPLICATIONS

Initials	Identifying Information re Application	Document	Date of Document
	Attorney Docket No.: 21101.0048EP1 Country Code: EP Application No.: 05 711 840.8	Communication Pursuant to 94(3) EPC	06/17/08
	Filing Date: January 21, 2005 Applicant: University of Utah Research Foundation	Amendments	02/27/09